IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

CHAMBER SUMMONS NO.234 OF 2006
IN
WRIT PETITION NO.3 OF 2006

Brashtachar Nirmoolan Sanghatana
Mumbai and Anr. .. Petitioner

Vs.

State of Maharashtra & Ors. .. Respondents

And

Pawapuri Co-op.Housing Society
Ltd. .. Applicant

Ms.Shakuntala Joshi i/b Mr.Yogesh Mehta for the petitioner

Mr.K.R.Belosay, G.P. for respondent no.1

Mr.K.K.Singhavi, Sr.Advocate with Ms.Shobha Ajeet Kumar for respondent no.2

Mr.Ajay Fernandes i/b J.Sagar Associates for respondent no.3

Mr.Uday Bobde for respondent no.4

Mr.T.N.Subramaniam, Sr.Advocate i/b Khona & Kayer for respondent no.5

Ms.P.G.Bhati i/b Mr.Anand Pujari for the applicant

CORAM : J.N.PATEL &
A.A.SAYED, JJ.

DATED : 30TH AUGUST, 2007

P.C.:

1. Heard.

2. The learned counsel for respondent no.5 strongly objects to the intervenor being joined as party respondent on the ground that the intervenor is trying to agitate a private dispute through this forum.

3. In our opinion, this can be regulated by the court and if the intervenor exceeds his brief, it can be directed to seek alternate remedy. Nothing prevents the intervenor from addressing the court at the time of hearing of the petition so as to assist the court in resolving the matter. Chamber Summons stands disposed of with aforesaid terms.

(J.N. PATEL, J)

(A.A. SAYED, J)